

The Biden administration has worked throughout the year with us on eviction—on help for evictions, on emergency rental assistance, cutting red-tape, encouraging State and local governments to move faster to get this help to families and landlords. That work has delivered impressive results. More than 520,000 renters received emergency rental assistance in October alone.

It means those families were able to keep their homes, keep their lights on in October, work to get back on their feet, and recover from the pandemic.

In total, more than 2½ million payments have gone out to tenants and landlords. Now, with the end of the year approaching, we need that final push to get funding to the renters and the landlords who need it.

As Judge Carroll prepares for a well-earned retirement, it is my hope that this will be an important part of his legacy—of the work Chief Justice O'Connor does and the work that they do in Ohio and we can do around the country—as an example to public servants in Ohio and all over the United States, showing how we can keep a roof over families' heads, allow landlords to pay their bills, and emerge stronger from this pandemic.

I urge my colleagues—ask them to join me in honoring Judge Patrick Carroll and a lifetime of service to the people of my great State.

The PRESIDING OFFICER. The Senator from Oregon.

#### NOMINATION OF JENNIFER SUNG

Mr. WYDEN. Mr. President, the Senate will soon vote on President Biden's nomination of my neighbor and fellow Oregonian, Jennifer Sung, to serve on the U.S. Court of Appeals for the Ninth Circuit.

I guess I ought to save everybody some suspense. I am proud to support her nomination, and I just want to take a few minutes to talk about why she deserves the support of all Senators.

First, with respect to her qualifications, Ms. Sung is a graduate of Oberlin College and Yale Law School. As a student, she volunteered to represent low-income patients at a local hospital. As a legal fellow at the Brennan Center for Justice, she fought on behalf of workers who toiled in poor conditions for little pay. In private practice, she defended the rights of all people in our country to work in safe and fair conditions, to get the healthcare they need, and to freely exercise their constitutional rights.

Currently, Ms. Sung serves as a member of Oregon's Employment Relations Board. That is the board that adjudicates disputes over labor practices and employment law. She has decided more than 200 cases in that role. She has proven her impartiality, which I think we all understand is fundamental to what we need in a justice. And she has certainly shown her diligence and her commitment to justice. Her qualifications, in my view, simply cannot be questioned.

Second, I have had the chance to get to know Ms. Sung personally since her nomination, and what struck me is we both have a family story that is only possible here in our great country. Members of her family fled political persecution and violence in China in the 1940s—the Wydens fled the terror or Nazis just a few years earlier—and they barely spoke any English when they arrived here in their new home.

Our country provided safety and opportunity for my family and for Ms. Sung's family. And I have always found that so many who have that family story take a special interest in protecting the rights and the freedoms Americans enjoy. That has been a hallmark of Ms. Sung's legal career, and it is something, in my view, that all Senators ought to support.

So I am proud to describe my Southeast Portland neighbor, Jennifer Sung, as a talented, committed individual who will be a great asset on the bench. She is going to be a superb judge.

I urge all my colleagues to support Jennifer Sung when we vote soon on President Biden's nomination, Oregonian Jennifer Sung, to serve on the U.S. Court of Appeals for the Ninth Circuit.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LEE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Utah.

#### DEBT CEILING

Mr. LEE. Mr. President, the Senate, today, will pass a bill that, quite literally, gives a blank check to President Biden and the Democrats. They will use it to pass the "destroy America bill," which they call Build Back Better.

There is literally a blank check in the bill. It is literally a blank check. The Senators who gave that blank check don't want you to know that they did it. They used procedural jiu-jitsu to hide their votes. Republicans are hiding behind Democrats, and Democrats are hiding behind Republicans, but the American people see through it.

They closed the doors, held their noses, and created a new way to pass bad bills and claimed that it was just this one time.

Mark my words: This bill will be one more tool repeatedly used to abuse the American people.

This debt ceiling increase is a blank check for the Democrats' reckless tax-and-spending bill. It should have never happened.

#### NOMINATION OF LUCY H. KOH

Mrs. FEINSTEIN. Mr. President, I rise today in support of the nomination

of Lucy H. Koh to serve as a judge on the U.S. Court of Appeals for the Ninth Circuit.

Judge Koh is a highly respected member of the Federal judiciary and has served California well throughout her career. She would be a welcome addition to the Ninth Circuit bench.

I have long supported Judge Koh and am pleased that the Senate will soon be considering her nomination. I recommended Judge Koh for a seat on the Ninth Circuit back in 2016 and was pleased that President Obama nominated her at that time. And I was disappointed that she did not receive a vote on the Senate floor, even though she received strong bipartisan support in the Judiciary Committee, which favorably reported her nomination.

I am pleased that Judge Koh was among the first circuit court nominees announced by President Biden earlier this year. Her credentials are undeniably impressive. She received her undergraduate degree from Harvard College in 1990, and her law degree from Harvard Law School in 1993.

Judge Koh spent several years early in her career in public service, first as a legal fellow on the Senate Judiciary Committee's Immigration Subcommittee and then with the Department of Justice. Among her achievements while at the Justice Department, Judge Koh received an award from the FBI for "Demonstrated Excellence in Prosecuting a Major Fraud Case."

She then brought her skills to the private sector, spending nearly a decade in private practice in Palo Alto, CA, where she became a distinguished intellectual property lawyer working on patent, trade secret, and commercial civil litigation. In 2008, she was appointed by California's then-Governor Arnold Schwarzenegger, a Republican, to serve as a judge on the California Superior Court for Santa Clara County.

In 2010, President Obama nominated her to serve as a Federal district judge on the U.S. District Court for the Northern District of California. The Senate voted unanimously, 90 to 0, to confirm her to that position. She has served with distinction as a Federal district judge for more than a decade.

Judge Koh has excelled throughout her career as a Federal prosecutor, in private practice, and as both a state and Federal judge. I have no doubt that she will continue to excel if she is confirmed to the Ninth Circuit.

Judge Koh has received bipartisan support each time her nomination has come before the Senate, including a bipartisan vote earlier this year in the Judiciary Committee. I urge all of my colleagues to support her nomination.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. RISCH. Mr. President, I ask unanimous consent that all remaining time be yielded back.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

## VOTE ON MOTION TO CONCUR

The PRESIDING OFFICER. Under the previous order, all postcloture time has expired.

The motion to concur with amendment No. 4871 is withdrawn.

The question is on agreeing to the motion to concur.

Mr. RISCH. I ask for the yeas and nays.

The PRESIDING OFFICER. The yeas and nays have been requested.

Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Maine (Mr. KING) is necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from North Carolina (Mr. BURR), the Senator from Texas (Mr. CORNYN), the Senator from South Dakota (Mr. ROUNDS), the Senator from Nebraska (Mr. SASSE), and the Senator from Pennsylvania (Mr. TOOMEY).

The result was announced—yeas 59, nays 35, as follows:

[Rollcall Vote No. 491 Leg.]

## YEAS—59

Baldwin	Heinrich	Reed
Barrasso	Hickenlooper	Romney
Bennet	Hirono	Rosen
Blumenthal	Kaine	Sanders
Blunt	Kelly	Schatz
Booker	Klobuchar	Schumer
Brown	Leahy	Shaheen
Cantwell	Lujan	Sinema
Capito	Manchin	Smith
Cardin	Markey	Stabenow
Carper	McConnell	Tester
Casey	Menendez	Thune
Collins	Merkley	Tillis
Coons	Murkowski	Van Hollen
Cortez Masto	Murphy	Warner
Duckworth	Murray	Warnock
Durbin	Ossoff	Warren
Feinstein	Padilla	Whitehouse
Gillibrand	Peters	Wyden
Hassan	Portman	

## NAYS—35

Blackburn	Grassley	Moran
Boozman	Hagerty	Paul
Braun	Hawley	Risch
Cassidy	Hoeven	Rubio
Cotton	Hyde-Smith	Scott (FL)
Cramer	Inhofe	Scott (SC)
Crapo	Johnson	Shelby
Cruz	Kennedy	Sullivan
Daines	Lankford	Tuberville
Ernst	Lee	Wicker
Fischer	Lummis	Young
Graham	Marshall	

## NOT VOTING—6

Burr	King	Sasse
Cornyn	Rounds	Toomey

The motion was agreed to.

## CLOTURE MOTION

The PRESIDING OFFICER (Mr. KAINE). Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The bill clerk read as follows:

## CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomi-

nation of Executive Calendar No. 486, Lucy Haeran Koh, of California, to be United States Circuit Judge for the Ninth Circuit.

Charles E. Schumer, Richard J. Durbin, Debbie Stabenow, Chris Van Hollen, Kirsten E. Gillibrand, Christopher A. Coons, Benjamin L. Cardin, Patty Murray, Alex Padilla, Tina Smith, Ben Ray Lujan, Sheldon Whitehouse, Mazie Hirono, Elizabeth Warren, Jeff Merkley, Cory A. Booker, Brian Schatz.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Lucy Haeran Koh, of California, to be United States Circuit Judge for the Ninth Circuit, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Maine (Mr. KING) and the Senator from Arizona (Ms. SINEMA) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from North Carolina (Mr. BURR), the Senator from West Virginia (Mrs. CAPITO), the Senator from Louisiana (Mr. CASSIDY), the Senator from Texas (Mr. CORNYN), the Senator from Idaho (Mr. RISCH), the Senator from South Dakota (Mr. ROUNDS), the Senator from Nebraska (Mr. SASSE), the Senator from Florida (Mr. R. SCOTT), and the Senator from Pennsylvania (Mr. TOOMEY).

The yeas and nays resulted—yeas 51, nays 38, as follows:

[Rollcall Vote No. 492 Leg.]

## YEAS—51

Baldwin	Hassan	Padilla
Bennet	Heinrich	Peters
Blumenthal	Hickenlooper	Reed
Booker	Hirono	Rosen
Brown	Kaine	Sanders
Cantwell	Kelly	Schatz
Cardin	Klobuchar	Schumer
Carper	Leahy	Shaheen
Casey	Lujan	Smith
Collins	Manchin	Stabenow
Coons	Markey	Tester
Cortez Masto	Menendez	Van Hollen
Duckworth	Merkley	Warner
Durbin	Murkowski	Warnock
Feinstein	Murphy	Warren
Gillibrand	Murray	Whitehouse
Graham	Ossoff	Wyden

## NAYS—38

Barrasso	Hagerty	Paul
Blackburn	Hawley	Portman
Blunt	Hoeven	Romney
Boozman	Hyde-Smith	Rubio
Braun	Inhofe	Scott (SC)
Cotton	Johnson	Shelby
Cramer	Kennedy	Sullivan
Crapo	Lankford	Thune
Cruz	Lee	Tillis
Daines	Lummis	Tuberville
Ernst	Marshall	Wicker
Fischer	McConnell	Young
Grassley	Moran	

## NOT VOTING—11

Burr	King	Scott (FL)
Capito	Risch	Sinema
Cassidy	Rounds	Toomey
Cornyn	Sasse	

The PRESIDING OFFICER. On this vote, the yeas are 51, the nays are 38.

The motion is agreed to.

## EXECUTIVE SESSION

## EXECUTIVE CALENDAR

The PRESIDING OFFICER. Cloture having been invoked, the Senate will proceed to executive session.

The clerk will report the nomination. The senior assistant legislative clerk read the nomination of Lucy Haeran Koh, of California, to be United States Circuit Judge for the Ninth Circuit.

## CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

## CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 533, Jennifer Sung, of Oregon, to be United States Circuit Judge for the Ninth Circuit.

Charles E. Schumer, Richard J. Durbin, Debbie Stabenow, Chris Van Hollen, Kirsten E. Gillibrand, Christopher A. Coons, Benjamin L. Cardin, Patty Murray, Alex Padilla, Tina Smith, Ben Ray Lujan, Sheldon Whitehouse, Mazie Hirono, Elizabeth Warren, Jeff Merkley, Cory A. Booker, Brian Schatz.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Jennifer Sung, of Oregon, to be United States Circuit Judge for the Ninth Circuit, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Maine (Mr. KING) and the Senator from Arizona (Ms. SINEMA) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Indiana (Mr. BRAUN), the Senator from North Carolina (Mr. BURR), the Senator from West Virginia (Mrs. CAPITO), the Senator from Louisiana (Mr. CASSIDY), the Senator from Texas (Mr. CORNYN), the Senator from Idaho (Mr. RISCH), the Senator from South Dakota (Mr. ROUNDS), the Senator from Nebraska (Mr. SASSE), the Senator from Florida (Mr. SCOTT), the Senator from North Carolina (Mr. TILLIS), and the Senator from Pennsylvania (Mr. TOOMEY).

The yeas and nays resulted—yeas 48, nays 39, as follows:

[Rollcall Vote No. 493 Ex.]

## YEAS—48

Baldwin	Booker	Cardin
Bennet	Brown	Carper
Blumenthal	Cantwell	Casey